### IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS EL PASO DIVISION

LANCIUM LLC,

Plaintiff,

Case No. 6:23-cv-00344-KC

v.

U.S. DATA MINING GROUP, INC. (D/B/A US BITCOIN),
U.S. MINING INFRASTRUCTURE OPERATIONS, LLC, and
U.S. DATA KING MOUNTAIN LLC,

Defendants.

JURY TRIAL DEMANDED

# JOINT MOTION FOR EXTENSION OF TIME FOR DEFENDANTS TO RESPOND TO PLAINTIFF'S COMPLAINT AND STAY OF ALL OTHER DEADLINES

Plaintiff Lancium LLC and Defendants U.S. Data Mining Group, Inc. (d/b/a US Bitcoin), U.S. Mining Infrastructure Operations, LLC, and U.S. Data King Mountain LLC (collectively, "Defendants") (collectively, the "Parties") jointly and respectfully move the Court to: (1) extend the time for Defendants to answer, move, or otherwise respond to Plaintiff's Complaint until October 2, 2023; and (2) otherwise stay this case and all other deadlines until October 2, 2023. Good cause exists for granting this Motion for the following reasons:

- 1. Plaintiff filed its Complaint (D.I. 1) on May 10, 2023.
- 2. On May 30, 2023, Defendants filed an unopposed motion for an extension of the deadline to respond to Plaintiff's Complaint until July 3, 2023 (D.I. 10), which the Court granted via Text Order on May 31, 2023.

3. Since that time, the parties have had discussions regarding the potential resolution of this matter and believe a further extension of Defendants' response deadline and all other deadlines will aid such discussions.

Accordingly, the parties respectfully request that the Court enter an order extending the time in which Defendants may respond to Plaintiff's Complaint by 90-days, up-to and including October 2, 2023 and otherwise staying this case and all pending deadlines until October 2, 2023.

Dated: July 1, 2023 Respectfully submitted,

#### /s/ Mark C. Nelson

Francisco J. Ortega Texas Bar No. 24060365 SCOTTHULSE, P.C. One San Jacinto Plaza 201 E. Main Drive, Suite 1100 El Paso, TX 79901 Telephone: (915) 546-8245

Fax: (915) 546-8333

Email: fort@scotthulse.com

Jeff H. Ray Texas Bar No. 16604400 Marisa Y. Ybarra-Williams Texas Bar No. 24067360 RAY PEÑA McCHRISTIAN 5822 Cromo Drive, Suite 400 El Paso, TX 79912

Telephone: (915) 832-7200

Fax: (915) 832-7333 Email: jray@raylaw.com

Email: mybarra-williams@raylaw.com

Mark C. Nelson Texas Bar No. 00794361 **BARNES & THORNBURG LLP** 2121 North Pearl Street, Ste. 700 Dallas, TX 75201

Telephone: (214) 258-4200

Fax: (214) 258-4199

Email: mark.nelson@btlaw.com

Adam M. Kaufmann (admitted pro hac vice) BARNES & THORNBURG LLP One North Wacker Drive, Suite 4400 Chicago, IL 60606 Telephone: (312) 214-8319

Fax: (312) 759-5646

Email: adam.kaufmann@btlaw.com

## ATTORNEYS FOR PLAINTIFF LANCIUM LLC

#### /s/ Krishnan Padmanabhan

Krishnan Padmanabhan kpadmanabhan@winston.com

WINSTON & STRAWN LLP

200 Park Avenue New York, NY 10166-4193

Tel: 212-294-6700 Fax: 212-294-4700

Daniel T. Stabile dstabile@winston.com (Pro Hac Vice) WINSTON & STRAWN LLP 200 South Biscayne Boulevard

Miami, FL 33131 Tel: (305) 910-0500

Fax: (305) 910-0505

William M. Logan Texas Bar No. 24106214 wlogan@winston.com WINSTON & STRAWN LLP

800 Capitol Street, Suite 2400 Houston, TX 77002

Tel: (713) 651-2766 Fax: (713) 651-2700

ATTORNEYS FOR DEFENDANTS U.S. DATA MINING GROUP, INC., U.S. MINING INFRASTRUCTURE OPERATIONS, LLC, AND U.S. DATA KING MOUNTAIN LLC

# **CERTIFICATE OF CONFERENCE**

This is to certify that on June 27, 2023 counsel for Plaintiff conferred with counsel for Defendants regarding the relief requested in this motion.

/s/ Mark C. Nelson
Mark C. Nelson

# **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing on July 1, 2023, via the Court's CM/ECF system.

/s/ Mark C. Nelson
Mark C. Nelson